

Appl. No. 10/605,329
Amdt. dated August 08, 2006
Reply to Office action of June 07, 2006

REMARKS/ARGUMENTS

1. Rejection of claims 2-5 under 35 U.S.C. 112, second paragraph:

5 Claims 2-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Response:

10 Claim 2 specifies that the second storage device stores a **second code** that is examined. As explained in paragraph 0031 of the specification, a first instruction of the second code is first examined to determine if the first instruction correctly conforms to a predetermined condition or not. If a result of the examination process is correct, only then does the first storage device transfer a **command** to the second storage device. The second code stored in the second storage device and the
15 command transferred to the second storage device are two different things, and the applicant respectfully submits that claims 1 and 2 have no indefinite claim language.

20 Claim 5 has been amended to overcome this claim rejection. Claim 5 now recites that "...a predetermined ~~site~~ command of the first code is executed". This claim amendment is supported by the first part of paragraph 0031 of the specification. No new matter is added.

In view of the above, reconsideration of claims 2-5 is respectfully requested.

25 2. Rejection of claims 1-3, 5, 7, 8, and 18-23 under 35 U.S.C. 102(b):

 Claims 1-3, 5, 7, 8, and 18-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Ishii et al (US 5,835,761).

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Response:

Claims 18-23 are cancelled, and are no longer in need of consideration.

5 The applicant would like to point out the patentable features of claim 1. Claim 1 contains the limitations of:

 “(a) executing the first code in the first storage device;” and
 “(c) after proceeding with step (b), the first storage device
 transferring the command to the second storage device to operate
10 the computer system when a result of the examining process is
 correct.”

 That is, the same first storage device is used in step (a) for storing the first code
 that is executed and in step (c) for transferring the command to the second
15 storage device. In other words, the BIOS is executed in a ROM in step
 (a), and the BIOS is copied from the ROM to a RAM in step (c) when a
 result of the examining process is correct.

 On the other hand, Ishii teaches in Fig. 2 that the boot program
20 stored in the EPROM 78 is executed in step P2. Then, in step P6, the
 BIOS is copied from the BIOS memory 45 to the main memory 44.
 Therefore, Ishii does not teach that the same memory is used for
 storing the boot program in step P2 and for storing the BIOS that is
 copied to the main memory in step P6. For these reasons, Ishii fails to
25 teach the claimed limitations presented in steps (a) and (c) of claim 1
 since the same “first storage device” is not used in both of these steps.

 Since Ishii does not teach all of the claimed limitations of claim 1,

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Ishii does not anticipate claim 1, and claim 1 should be patentable over the cited prior art. Claims 2-3, 5, 7, 8 are dependent on claim 1, and should be allowed if claim 1 is allowed. Reconsideration of claims 1-3, 5, 7, 8 is respectfully requested.

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3. Rejection of claims 4 and 6 under 35 U.S.C. 103(a):

Claims 4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishii in further view of Han et al. (US 5,838,896).

Response:

10 Claims 4 and 6 are dependent on claim 1, and should be allowed if claim 1 is allowed. Reconsideration of claims 4 and 6 is respectfully requested.

4. Introduction to new claims 24-31:

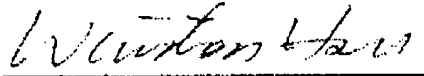
15 New independent claim 24 is drafted based on the original claim 1, and is allowable for the same reasons as claim 1 mentioned above. Claim 1 also recites in steps (a) and (b) that the claimed method is performed when the computer system is in standby mode. Ishii does not teach a computer system being in standby mode. Therefore, claim 24 is patentable over the cited prior art. Claims 25-31 are duplicates of claims 2-8, and should be allowed if claim 24 is allowed. No new matter is
20 presented through new claims 24-31, and acceptance of the new claims is respectfully requested.

In view of the above arguments in favor of patentability, the applicant respectfully requests that a timely Notice of Allowance be issued in this case.

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Sincerely yours,



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- 10 Note: Please leave a message in my voice mail if you need to talk to me. (The time in D.C. is 12 hours behind the Taiwan time, i.e. 9 AM in D.C. = 9 PM in Taiwan.)